IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

MONDAY, THE 15TH JANUARY 2007 / 25TH PAUSHA 1928

WP(C).No. 1498 of 2007(C)

PETITIONER:

ABDUL MAJEED. U., 20/932,
TIRUR HINDI COLLEGE, TIRUR-676 101.
S/O.MOHAMMED. C, UPOOTTINGAL HOUSE,
T.S.ROAD, PARAVANA P.O., TIRUR

BY ADV. SRI.GEORGE MECHERIL
SRI.SERGI JOSEPH THOMAS

RESPONDENTS:
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1. SENIOR ACCOUNTS OFFICER (TR), BSNL,
MALAPPURAM.

2. THE DEPUTY TAHSILDAR (R.R.)
TALK OFFICE, TIRUR, MALAPPURAM.

BY ADV. SRI.MATHEWS K.PHILIP,SC, BSNL
GOVERNMENT PLEADER SRI.M.A.FAYAZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN, J.

W.P.(C) NO. 1498 OF 2007

Dated this the 15th day of January, 2007

J U D G M E N T

The petitioner has earlier approached this court by filing WP(c) No.27092/05 disputing the bill amount raised by the respondent here. This court by judgment dated 19/10/2005 directed the petitioner to pay 1/3rd of the amount in which a direction was also given to the respondent to refer the matter for arbitration. The respondents now submits that 1/3rd as directed is not paid. As such, the petitioner possibly finding that he cannot dispute the bill amount, now seeks for instalment facility to pay for the bill amount covered by Exhibit P1.

2. The learned counsel appearing for the respondent submits that the petitioner can be given maximum of three instalments for clearing the bill, Exhibit P1.

3. Heard both sides.

4. The writ petition is disposed of with the following directions.

There will be a direction that in case the petitioner pays an amount of Rs.20,000/- within two weeks, he will be allowed to pay

the balance amount in five monthly instalments, the first of such instalment after paying the above said Rs.20,000/- will fall due on or before 15/2/07 and thereafter on 15th of subsequent months. However, if the petitioner fails to pay the amount of Rs.20,000/- within two weeks or any of the subsequent instalments, he will lose the benefit of this order. Then it will be open to the respondents to recover the amount in lump seeking recourse to the remedies available to them under law.

Writ petition is disposed of as above.

P.R.RAMAN, JUDGE

Rp